

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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SECURITIES INVESTOR PROTECTION
CORPORATION,

Adv. Pro. No. 08-01789 (BRL)

SIPA LIQUIDATION

Plaintiff,

(Substantively Consolidated)

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

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In re:

BERNARD L. MADOFF,

Debtor.

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ORDER DENYING LETTER REQUEST FOR SUMMARY JUDGMENT

WHEREAS, Laurence Leif (“Leif”) is currently engaged in several proceedings before this Court, and is currently represented by counsel in certain of those proceedings; and

WHEREAS, apparently appearing *pro se* (without counsel), Leif submitted a letter styled as a “Request for Final Judgment Against SIPC and the Trustee in the Madoff Litigation” (the “Letter”) regarding his claim dispute with the Trustee (the “Claim Dispute”), *see* Dkt. No. 5606; and

WHEREAS, the Letter can be construed as a motion for summary judgment (the “Motion”); and

WHEREAS, Leif failed to comply with Federal Rule of Bankruptcy Procedure 7056 and Local Rule of Bankruptcy Procedure 7056-1 governing motions for summary judgment; and

WHEREAS, the Claim Dispute, as well as the Trustee's avoidance action against Leif, *see Picard v. Leif*, Adv. Pro. No. 10-04601, have previously been ordered to mediation by this Court, *see Order Directing Mediation and Appointing Mediator*, Dkt. No. 5549;

THEREFORE, it is **ORDERED** that, to the extent the Letter can be construed as a motion for summary judgment, the Motion is **DENIED**, and the parties shall proceed with mediation as per this Court's prior order.

Dated: December 19, 2013
New York, New York



/s/ Burton R. Lifland

Burton R. Lifland
United States Bankruptcy Judge